Table of Contents

CHAPTER 17	17-1
SPECIAL HOUSING TYPES	
17.1. Chapter Overview	17-1
17.2. Single Room Occupancy Facilities	17-1
Description	17-1
Occupancy	
HQS	17-2
Payment Standard and HAP Calculation	17-3
17.3. Congregate Housing	17-3
Description	17-3
Occupancy	17-3
HQS	17-3
Payment Standard and HAP Calculation	17-4
17.4. Group Homes	17-4
Description	17-4
Occupancy	17-4
HQS	17-4
Payment Standard and HAP Calculation	17-5
17.5. Shared Housing	17-7
Description	17-7
Occupancy	17-7
HQS	17-7
Payment Standard and HAP Calculation	17-8
17.6. Cooperative Housing	17-9
Description	
Occupancy	
HQS	
Payment Standard and HAP Calculation	
17.7. Manufactured Homes	17-10
Description	
Occupancy	
HQS	
Payment Standard and HAP Calculation	
17.8. Manufactured Home Space Rental	
Description	
Occupancy	
HQS	17-11
Payment Standard and HAP Calculation	17-12

CHAPTER 17 SPECIAL HOUSING TYPES

17.1. CHAPTER OVERVIEW

A PHA has the option to allow participating households to use their housing choice voucher program assistance in a number of specialized housing types. Each of the special housing types described below is targeted to households with particular needs. The program housing quality standards (HQS) generally apply to all units, but each special type of housing has additional unique HQS standards. The payment standard used for each special housing type, and any non-standard requirements for determining the utility allowance, calculating the HAP payment, or determining the reasonableness of the rent, are included in the program descriptions.

With the exception of manufactured homes, which the PHA must allow families to lease under the program, the PHA must decide whether or not to approve the use of special housing types. The PHA's decision should be based on its assessment of the difficulties encountered by households currently looking for housing, applicant and participant demographics suggesting a need for specialized housing, and the availability of suitable housing of the various types in the local market. However, even though a PHA may decide to disallow the use of special housing types, the PHA must allow the use of a special housing type if needed as a reasonable accommodation for persons with disabilities.

The PHA's choice to approve use of any of these special housing types should not be confused with a commitment on the part of the PHA to provide project-based funding for specialized housing. All of these programs are options that may be made available to voucher holders and participant households as they search for housing. The PHA may not set aside program funds for special housing types. The PHA cannot give preference to households that wish to live in any of these types of housing, and cannot require households to select any of these types of housing. For each household that elects to lease a unit in one of these special housing types, there is a separate lease and HAP contract. The PHA has no obligation to help owners of these special types of housing fill units vacated by housing choice voucher program participants.

The PHA's administrative plan must include local policies regarding the use of special housing types.

17.2. SINGLE ROOM OCCUPANCY FACILITIES

Description

A single room occupancy (SRO) unit provides living and sleeping space for the exclusive use of the occupant, but requires the occupant to share sanitary and/or food preparation facilities. There is no federal limitation on the number of SRO units in an SRO facility.

Use of this type of housing—other than for projects funded under the McKinney Act—formerly required specific approval by HUD. HUD approval is no longer required.

Occupancy

An SRO unit may not be occupied by more than one person. Program regulations do not place any limit on the number of units in an SRO facility, although the size of a facility may be limited by local laws.

HQS

Federal regulations for SRO units include special provisions for access and fire safety as follows:

- Access: Access doors to the SRO unit must have working locks for privacy. The occupant
 must be able to access the unit without going through any other unit. Each unit must have
 immediate access to two or more approved means of exit from the building, appropriately
 marked and leading to safe and open space at ground level. The SRO unit must also have
 any other means of exit required by State or local law.
- *Fire Safety*: All SRO facilities must have a sprinkler system that protects major spaces. "Major spaces" are defined as hallways, common areas, and any other areas specified in local fire, building, or safety codes. SROs must also have hard-wired smoke detectors, and any other fire and safety equipment required by state or local law.

In addition, sanitary facilities and space and security features must meet local code standards for SRO housing. In the absence of local code standards the following requirements apply:

- Sanitary Facilities: At least one flush toilet that can be used in privacy, a lavatory basin, and a bathtub or shower in proper operating condition must be provided for each six persons (or fewer) residing in the SRO facility. If the SRO units are leased only to men, flush urinals may be substituted for up to one half of the required number of toilets. Sanitary facilities must be reasonably accessible from a common hall or passageway, and may not be located more than one floor above or below the SRO unit. They may not be located below grade unless the SRO units are located on that level.
- Space and Security: An SRO unit must contain at least 110 square feet of floor space, and at least four square feet of closet space with an unobstructed height of at least five feet, for use by the occupant. If the closet space is less than four square feet, the habitable floor space in the SRO unit must be increased by the amount of the deficiency. Exterior doors and windows accessible from outside the SRO unit must be lockable.

The housing quality standards applicable to lead-based paint do not apply.

Payment Standard and HAP Calculation

The payment standard for SRO housing is 75 percent of the 0-bedroom payment standard amount on the PHA's payment standard schedule.

The HAP for an assisted occupant in an SRO facility is the lower of the SRO payment standard amount minus the TTP or the gross rent for the unit minus the TTP. The utility allowance for an SRO unit is 75 percent of the 0-bedroom utility allowance.

17.3. CONGREGATE HOUSING

Description

Congregate housing is intended for use by elderly persons or persons with disabilities. It contains a shared central kitchen and dining area and a private living area for the individual household of at least a living room, bedroom and bathroom. Food service for residents must be provided.

Occupancy

Elderly persons or persons with disabilities may live in congregate facilities. With PHA approval a live-in aide may live in the congregate unit with a person with disabilities or an elderly person. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

HQS

Housing quality standards for the housing choice voucher program apply to congregate housing, with the exception of the following alternate requirements:

Food Preparation and Refuse Disposal

Congregate housing requires:

- A refrigerator of appropriate size in the private living area of each resident;
- Central kitchen and dining facilities located within the premises and accessible to the residents; and
- Food service for the residents that is not provided by the residents themselves.
- The housing quality standards applicable to lead-based paint do not apply.

Payment Standard and HAP Calculation

The payment standard for an individual unit in a congregate housing facility is based on the number of rooms in the private living area. If there is only one room in the unit (not including the bathroom or the kitchen, if a kitchen is provided), the payment standard for a 0-bedroom unit is used. If the unit has two or more rooms (other than the bathroom and the kitchen), the PHA should use the 1-bedroom payment standard.

The HAP for an assisted occupant in a congregate housing facility is the lower of the applicable payment standard minus the TTP or the gross rent for the unit minus the TTP.

Housing choice voucher program assistance should be calculated on the shelter portion (including utilities) of the resident's monthly housing expense only. The residents' costs for food service should not be included in the rent for a congregate housing unit.

17.4. GROUP HOMES

Description

A group home is a state-licensed facility intended for occupancy by elderly persons and/or persons with disabilities. The group home consists of residents' bedrooms, which can be shared by no more than two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents. No more than 12 persons may reside in a group home. This includes assisted and unassisted residents, and any live-in aides.

Occupancy

Elderly persons or persons with disabilities may live in group homes. If approved by the PHA, a live-in aide may live in the group home with a person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. Except for live-in aides, all persons living in a group home, whether assisted or not, must be elderly persons or persons with disabilities.

Persons living in a group home must not require continual medical or nursing care.

HQS

In addition to the generally applicable housing choice voucher program HQS, group homes require the following:

• Sanitary Facilities: Group homes must have at least one bathroom in the unit, with a flush toilet that can be used in privacy, a fixed basin with hot and cold running water, and a shower or bathtub with hot and cold running water. A group home may contain private or common bathrooms. However, no more than four residents can be required to share a bathroom.

- Food Preparation and Service: Group home units must contain a kitchen and dining area with adequate space to store, prepare, and serve food. The facilities for food preparation and service may be private or may be shared by the residents. The kitchen must contain a range, an oven, a refrigerator, and a sink with hot and cold running water. The sink must drain into an approvable public or private disposal system.
- Space and Security: Group homes must contain at least one bedroom of appropriate size for every two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents.
- *Structure and Material*: To avoid any threat to the health and safety of the residents, group homes must be structurally sound. Elevators must be in good condition. Group homes must be accessible to and usable by residents with disabilities.
- *Site and Neighborhood*: Group homes must be located in a residential setting. The site and neighborhood should be reasonably free from hazards to the health, safety, and general welfare of the residents, and should not be subject to serious adverse conditions, such as:
 - Dangerous walks or steps
 - Instability
 - Flooding, poor drainage
 - Septic tank back-ups
 - Sewage hazards
 - Mud slides
 - Abnormal air pollution
 - Smoke or dust
 - Excessive noise
 - Vibrations or vehicular traffic
 - Excessive accumulations of trash
 - Vermin or rodent infestation, and
 - Fire hazards.

The housing quality standards applicable to lead-based paint do not apply.

Payment Standard and HAP Calculation

Unless there is a live-in aide, the family unit size for an assisted occupant of a group home is 0-or 1-bedroom, depending on the PHA's subsidy standard. If there is a live-in aide, the aide must be counted in determining the household's unit size.

The payment standard used to calculate the HAP is the lower of the payment standard for the family unit size or the pro-rata share of the payment standard for the group home size. The pro-rata share is calculated by dividing the number of persons in the assisted household by the number of persons (assisted and unassisted) living in the group home.

DETERMINING THE PAYMENT STANDARD FOR A GROUP HOME UNIT

Rule: The payment standard is the lower of the payment standard for the family unit size or the pro-rata share of the payment standard for the group home size.

Example: Household includes a person with disabilities plus a live-in aide.

Family unit size: 2 BR Persons in the group home: 8 Group home size: 8 Bedrooms

2 BR payment standard: \$400 8 BR payment standard: \$1,500

2 person in assisted household ÷ 8 persons in the group home

.25 = pro-rata share

\$1,500

x .25

\$375 pro-rata share of payment standard for group home

\$375 is lower than the \$400 payment standard for the family unit size \$375 is the payment standard used to calculate the HAP payment

The HAP for an assisted occupant in a group home is the lower of the payment standard minus the TTP or the gross rent minus the TTP. The utility allowance for an assisted occupant in a group home is the pro-rata share of the utility allowance for the group home.

CALCULATING THE HAP AND UTILITY ALLOWANCE FOR A GROUP HOME UNIT

Household is person with disabilities plus live-in aide from example above.

Actual rent charge: \$300 TTP for the household = \$135

Payment standard (from above): \$375

8 BR utility allowance (electricity): \$280

\$280 x .25 pro-rata share (from above) = \$70 Utility Allowance

\$300 Actual rent to owner plus allowance for tenant-paid electricity: \$70.

\$370 Gross Rent

\$375 (Payment standard) - \$135 (TTP) = \$240 \$370 (Gross Rent) - \$135 (TTP) = \$235

HAP = \$235

The rents paid for participants residing in group homes are subject to generally applicable standards for rent reasonableness. The rent for an assisted person must not exceed the pro-rata portion of the reasonable rent for the group home. In determining reasonable rent, the PHA should consider whether sanitary facilities and facilities for food preparation and service are common facilities or private facilities.

DETERMINING RENT REASONABLENESS OF A PRO-RATA SHARE FOR A GROUP HOME UNIT

The household consists of a person with disabilities plus a live-in aide. The group home has 8 bedrooms.

The PHA has determined that a comparable 8 BR unit would rent for \$1,500. One of the factors considered by the PHA is the fact that the assisted family is provided private sanitary facilities not used by other residents.

1,500 x .25 (pro-rata share from above) = 375

The gross rent for the assisted household (\$370) does not exceed the pro-rata share of the reasonable rent for the group home (\$375).

17.5. SHARED HOUSING

Description

Shared housing is a single housing unit occupied by an assisted family and another resident or residents. The shared unit consists of both common space for use by the occupants of the unit and separate private space for each assisted family.

Occupancy

An assisted family may share a unit with other persons assisted under the housing choice voucher program, or with other unassisted persons. The owner of a shared housing unit may reside in the unit, but housing assistance may not be paid on behalf of the owner. The resident owner may not be related by blood or marriage to the assisted family. If approved by the PHA, a live-in aide may reside with the family to care for a person with disabilities.

HQS

HQS for the housing choice voucher program apply, with the following exceptions:

• Facilities Available for the Family: Facilities available to the assisted family, whether shared or private, must include a living room, a bathroom, and food preparation and refuse disposal facilities.

• Space and Security: The entire unit must provide adequate space and security for all assisted and unassisted residents. The private space for each assisted family must contain at least one bedroom for each two persons in the family. The number of bedrooms in the private space of an assisted family must not be less than the family unit size. A 0-bedroom or 1-bedroom unit may not be used for shared housing.

Payment Standard and HAP Calculation

The payment standard for a family in shared housing is the lower of the payment standard for the family unit size or the pro-rata share of the payment standard for the shared housing unit size. The pro-rata share is calculated by dividing the number of bedrooms available for occupancy by the assisted family in the private space by the total number of bedrooms in the unit.

DETERMINING THE PAYMENT STANDARD IN SHARED HOUSING

Rule: The payment standard is the lower of the payment standard for the family unit size or the pro-rata share of the payment standard for the shared housing unit.

Example: household includes mother and 8 year old daughter Shared housing unit size: bedrooms available to assisted family= 2

Total bedrooms in the unit: 3 2 Bedrooms for assisted family

÷ 3 Bedrooms in the unit

.667 pro-rata share

2 BR payment standard: \$400 3 BR payment standard: \$565

 $565 \text{ x} \cdot 667 \text{ (pro-rata share)} = 377

\$377 is lower than the \$400 payment standard for the 2 BR family unit size

\$377 is the payment standard used to calculate the HAP

The HAP for a family in shared housing is the lower of the TTP minus the payment standard or the TTP minus the gross rent. The utility allowance for an assisted family living in shared housing is the pro-rata share of the utility allowance for the shared housing unit.

CALCULATING THE HAP AND UTILITY ALLOWANCE IN SHARED HOUSING

Household is mother and daughter from example above.

Actual rent charged: \$250 TTP for the household: \$275

Payment standard (from above): \$377 Applicable 3BR utility allowance: \$175

\$175 (3 BR utility allowance) x .667 (pro-rata share) = \$117 utility allowance for assisted family

117 + 250 = 367 Actual rent charged plus utility allowance (gross rent)

377 (payment standard) - 275 (TTP) = 102

367 (gross rent) - 275 (TTP) = 92

HAP = \$92

The rents paid for families living in shared housing are subject to generally applicable standards for rent reasonableness. The rent paid to the owner for the assisted family must not exceed the pro-rata portion of the reasonable rent for the shared unit. In determining reasonable rent, the PHA should consider whether sanitary and food preparation areas are private or shared.

DETERMINING RENT REASONABLENESS AND PRO-RATA SHARE IN SHARED HOUSING

Household is mother and daughter from example above.

The reasonable rent for a 3-BR unit of this quality in this neighborhood is \$570.

\$570 x .667 (pro-rata share) = \$380 reasonable rent for 2 BR share for assisted family

Gross rent for the assisted family = \$367

The gross rent for the assisted family (\$367) does not exceed the pro-rata share of the reasonable rent for the shared housing (\$380).

17.6. COOPERATIVE HOUSING

Description

Cooperative housing is owned by a nonprofit corporation or association, where a member of the corporation or association has the right to reside in a particular apartment and to participate in management of the housing.

Occupancy

There are no program restrictions on who may occupy a cooperative housing unit.

HQS

All housing choice voucher program HQS apply to cooperative housing units. There are no additional HQS requirements.

Payment Standard and HAP Calculation

The payment standard for a cooperative housing unit is the payment standard for units of the same bedroom size on the PHA's payment standard schedule.

The HAP for a cooperative housing unit is the lower of the payment standard minus the TTP or the monthly carrying charge for the unit, plus any utility allowance, minus the TTP. The monthly carrying charge includes the member's share of the cooperative debt service, operating expenses, and necessary payments to cooperative reserve funds. The carrying charge does not include down-payments or other payments to purchase the cooperative unit or to amortize a loan made to the family for this purpose.

The rent for a cooperative housing unit must be reasonable based on rents for comparable unassisted units.

17.7. MANUFACTURED HOMES

Description

A manufactured home is a manufactured structure, transportable in one or more parts, that is built on a permanent chassis, is designed for use as a principal place of residence, and meets housing choice voucher program HQS. Program provisions for the leasing of manufactured homes apply when the family leases the manufactured home unit and the manufactured home space.

Occupancy

There are no program restrictions on who may occupy a manufactured home. The PHA must allow a family to lease a manufactured home and space with assistance under the program. The PHA may provide assistance to a family that owns the manufactured home and leases only the space. However, the PHA is not required to provide such assistance. (See Section 17.8 below.)

HQS

The manufactured home must meet all HQS performance requirements and acceptability criteria. In addition, the following requirements apply:

Manufactured Home Tie-Downs: A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage. The home must be securely anchored by a tie-down device that

distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist overturning and sliding.

Payment Standard and HAP Calculation

The payment standard for a manufactured housing unit and space is the payment standard for units of the same size on the PHA's payment standard schedule.

The HAP for a manufactured home is the lower of the payment standard minus the TTP or the gross rent minus the TTP. The rent paid to the owner includes the rent for the unit, for the manufactured home space, and maintenance, services, and utilities that the owner provides under the lease.

The PHA must determine that the rent paid to the owner for a manufactured home is reasonable based on rents for comparable unassisted units.

17.8. MANUFACTURED HOME SPACE RENTAL

Description

A PHA may provide rental assistance to a family that owns its own manufactured home and leases only the manufactured home space. For families leasing the manufactured home space under the housing choice voucher program, the rent to the owner includes payment for maintenance and services that the owner provides under the lease for the space. The rent to the owner does not include the cost of utilities and trash collection, but if these are provided by the owner, the owner may charge the family a separate fee. Otherwise, the tenant receives a utility allowance for any tenant-paid utilities.

Occupancy

Although PHAs are not required to provide assistance to families who own their manufactured home and lease the home space, there are no program restrictions as to who may receive assistance for the rental of a manufactured home space.

In determining the annual income of families leasing manufactured home spaces, the value of the family's equity in the manufactured home in which the family resides is not counted as a family asset.

HQS

The manufactured home and space must meet all HQS performance requirements and acceptability criteria. In addition, the following requirements apply:

Manufactured Home Tie-Downs: A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage. The home must be securely anchored by a tie-down device that

distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist overturning and sliding.

Payment Standard and HAP Calculation

The FMR for a manufactured home space is generally 40 percent of the published FMR for a 2-bedroom unit or, where approved by HUD, the 40th percentile of the rental distribution of manufactured home spaces for the FMR area. The PHA may establish a payment standard for manufactured home spaces that is between 90-110 percent of the FMR for manufactured home spaces.

The PHA must establish utility allowances for manufactured home space rental. For the first 12 months of the initial lease term only, the allowance must include an amount for a utility hook-up charge if the family actually incurred a hook-up charge because of a move. This allowance will not be given to a family that leases in place. Utility allowances for manufactured home space must not include the costs of digging a well or installing a septic system.

The HAP for a manufactured home space under the housing choice voucher program is the lower of the payment standard minus the TTP or the (gross) manufactured home space rent minus the TTP. The space rent is the sum of the rent to the owner for the manufactured home space, any charges for maintenance and management provided by the owner, and the utility allowance for tenant-paid utilities.

Initially, and annually thereafter the PHA must determine that the rent for the manufactured home space is reasonable based on rents for comparable manufactured home spaces. The PHA must consider the location and size of the space, and any services and maintenance to be provided by the owner. By accepting the monthly HAP check, the owner certifies that the rent does not exceed rents charged by the owner for comparable unassisted spaces in the manufactured home park or elsewhere.